



**JCOTS 2012 Organizational Meeting**  
**Wednesday, May 16, 2012 10:00 a.m.**  
**General Assembly Building, House Room C**

◆ **Call to Order; Roll Call**

Delegate Joe T. May, chairman of JCOTS, called the meeting to order. A quorum was present.<sup>1</sup> Delegate May welcomed everyone to the meeting, announced that the agenda would be taken out of order, with the election of the chairman and vice-chairman to take place at the end of the meeting.

◆ **Election of Chairman and Vice-chairman**

This item was taken out-of-order on the agenda at the end of the meeting.

Delegate John Cosgrove nominated Delegate Tom Rust as chairman of JCOTS. In doing so, he thanked Delegate May for his many years of service as JCOTS chairman. The motion was seconded by Senator Miller, and was approved unanimously.

Delegate John Cosgrove nominated Senator John Watkins as vice-chairman of JCOTS. The motion was seconded by Delegate Rust, and was approved unanimously.

◆ **2012 Legislative Update**

Staff provided an overview of legislation considered by the 2012 Session of the General Assembly related to science and technology. Of particular note were the three pieces of legislation recommended by JCOTS:

1. **HB 807 (May) - Use of electronic tracking devices.** This bill was developed by the 2011 JCOTS Privacy Advisory Committee. The bill would prohibit the use of electronic tracking devices to track an individual when used "without consent" and through "intentionally deceptive means."

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<sup>1</sup> Delegates May, Cosgrove, Rust, Purkey, and Byron, and Senators Watkins and Miller were present for the meeting.

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The bill passed the House of Delegates, but was carried over by the Senate Committee on Courts of Justice. The Senate Committee had questions about consent and about how the prohibition would work in practice. Delegate May has indicated that he does not believe the bill warrants further study, as the bill that was introduced was the result of two years of discussion with interested parties, but that he does plan on reintroducing the legislation during the 2013 Session of the General Assembly.

2. **HB 874 (Rust) - Use of handheld personal communications devices.** This bill would have made texting while driving a primary offense (it is currently a secondary offense), and was a recommendation of the 2011 JCOTS Transportation Technologies Advisory Committee. HB 874, and several other similar pieces of legislation introduced by other members, failed to be reported from the House Committee on Militia, Police, and Public Safety.
3. **SJ 15 (Watkins) - Electronic identity credentials.** This resolution was a recommendation of the 2011 UCITA Advisory Committee. The resolution directs JCOTS to study issues related to the issuance of electronic identity credentials and liability concerns therewith. The resolution was adopted by the General Assembly, and will be included in the JCOTS 2012 work plan.

Staff also highlighted other relevant pieces of legislation that were related to issues previously discussed by JCOTS, or that otherwise raised significant policy issues. A list of all of the 2012 science and technology bills, along with their summaries, can be found on the JCOTS website.

## ◆ Development of 2012 Work Plan

Staff presented a proposed work plan for the 2012 Interim, as developed by Delegate May. The work plan would include four advisory committees as follows:

1. Energy -- This would be a continuation of the advisory committee that met during the 2011 Interim and was chaired by Delegate John Cosgrove. The Advisory Committee would be tasked with continuing to review emerging renewable energies and technologies used to generate energy. Delegate May specifically requested that the Advisory Committee also review the taxation of alternative automotive energies. Delegate May appointed the following JCOTS members to the committee: Delegates Cosgrove (chair), Rust, Purkey, Plum, and Alexander.
  2. Electronic Meetings -- JCOTS requested that the 2011 Privacy Advisory Committee review technologies and policies concerning the use of electronic meetings by public bodies, but the committee did not have
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enough time on its agenda to address the issue. Instead it recommended that JCOTS convene an advisory committee in 2012 dedicated solely to this issue. Delegate May appointed the following JCOTS members to the committee: Delegates May (chair) and Plum, and Senator Miller.

3. Electronic Identity Credentials -- This advisory committee will study the issues referred to JCOTS by SJ 15 (2012) concerning the issuance of electronic identity credentials. Delegate May appointed the following JCOTS members to the committee: Senators Watkins (chair) and Howell, and Delegate Byron.
4. Cybersecurity -- Delegate May suggested the creation of an advisory committee to study the cybersecurity industry in the Commonwealth. He appointed the following JCOTS members to the study: Delegates Rust (chair), Cosgrove, and Purkey, and Senators Locke and Martin.

During discussion of the work plan, Delegate Kathy Byron raised questions about Amendment 49 proposed by the Governor to HB 1301 (The Budget Bill). The Amendment did not pass the General Assembly, but raised questions concerning the sharing of records containing personal information between agencies. She suggested that JCOTS begin to review the issue. Because this issue is related to the issuance of authentication and identity being studied by the Electronic Identity Credentials Advisory Committee, that Advisory Committee will begin to review the issue and will report to the chairman of JCOTS any further suggested course of action or study.

### ◆ Public Comment

There was no public comment offered.

### ◆ Other Business

There was no other business.

### ◆ Adjournment

The meeting was adjourned. Future meetings of JCOTS and its advisory committees will be posted on the JCOTS website and distributed to its mailing list.

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